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LOWE HAUPTMAN GILMAN & BERNER, LLP  
Suite 310  
1700 Diagonal Road  
Alexandria, VA 22314

EXAMINER

LEE, WILSON

ART UNIT

PAPER NUMBER

2821

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Please find below and/or attached an Office communication concerning this application or proceeding.

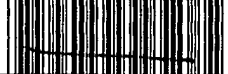
# Office Action Summary

Application No.  
**09/726,394**

Applicant(s)  
**James Loughrey**

Examiner  
**Wilson Lee**

Art Unit  
**2821**



-- **Th MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on Mar 7, 2002
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 35 C.D. 11; 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-39 is/are pending in the application.
- 4a) Of the above, claim(s) none is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-39 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claims \_\_\_\_\_ are subject to restriction and/or election requirements.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.  
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some\* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\*See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).  
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s). \_\_\_\_\_ 6) ☐ Other: \_\_\_\_\_

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## **DETAILED ACTION**

### ***Response to Arguments***

1. Applicant's arguments filed on 3/7/02 have been fully considered but they are not persuasive.

### **Fixture**

2. Applicant argues that Sinha discloses a system for connecting and controlling light fixture, but not a light fixture having a light control.

Examiner disagrees.

The definition of the word *fixture* is:

“a person or *thing* long established in the same place or position”,

(See page 499 of the dictionary).

As pointed out by applicant, Sinha's lighting control units are wall-mounted device mounted in a wall box, therefore, Sinha's whole invention can be defined as a *thing* long established in the same place which is a *fixture*.

### **Feature not claimed**

3. In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., the light sockets within the loads) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

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#### **Status of the light socket**

4. Applicant argues that Sinha fails to disclose sending a signal indicative of the status of the light fixture and light source sockets.

Examiner disagrees.

Figure 1E of Sinha clearly shows the status indicator that indicates the type of the load (i.e. indicator light 40), the number of selected module (i.e. indicator light 32), etc.

#### **Fixture and Module**

5. Applicant argues that Recknagel fails to disclose a fixture.

Examiner disagrees.

Again, fixture is defined as a thing long established in the same place or position. Therefore, Recknagel's module or system is interpreted as a *fixture* as well. As to the term "module", it is defined as a *unit* in dictionary. It is clearly a broader term of *fixture*. Module can be interpreted as fixture as well.

#### **Address Module to another Address Module**

6. Applicant argues that Recknagel fails to disclose the signals being transmitted from module to another address.

Examiner disagrees.

Recknagel clearly discloses the signals being transmitted from module(120<sub>1</sub>) to another module(120<sub>n</sub>) through bus(115). Noted that the bus(115) between controller(110) and module(120<sub>1</sub>) also exist between module(120<sub>1</sub>) and another module(120<sub>n</sub>) (See Figure 1).

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### **Single or Individual connectable replacement**

7. Applicant argues that Sinha and Recknagel fail to disclose a single or individual connectable replacement for an existing light source.

Examiner disagrees.

Sinha and Recknagel clearly disclose the load comprising or connecting to the illumination elements such as incandescent light bulbs of Sinha or LEDs of Recknagel. Each of the connections or voltage outputs from the controls connected to the illumination elements are considered as a single connectable replacement for the illumination elements (i.e. existing light source).

### **Single Screw-in Replacement Element**

8. Applicant argues that Sinha and Recknagel fail to disclose the single screw-in replacement element.

Examiner disagrees.

As mentioned by Examiner previously, all lamps including Sinha and Recknagel inherently comprise sockets or connections between the lamp or bulb and the circuit. Therefore, each of those single sockets or connections that is used for the new bulb to screw-in which replaces the old bulbs is interpreted as a single screw-in replacement element.

### **Ordinary Skill in the Art**

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9. Applicant argues that Examiner fails to identify any motivation or suggestion in the reference teaching, suggests or describing the asserted modification and asserts that Examiner applies improper hindsight reasoning based on the present invention.

Examiner disagrees.

In order to establish a prima facie case of obviousness, suggestion or motivation can be either in the references themselves *or in the knowledge generally available to one of ordinary skill in the art* (See MPEP 2142). Examiner is not required to find out a motivation from another reference. The motivation Examiner previously provided such as adding more lights or bulbs to render more illumination to cover a desired large area is in the knowledge generally known to a skilled in the art. Further, using 256 light loads, 255 light loads, 1000 light loads, etc. in Sinha and Recknagel does not change the scope of their inventions. Besides, Sinha and Recknagel do not limit the number of loads, the implementation of such number of loads is not restricted. Finally, it is held that mere duplication of the essential working parts of a device involves only routine skill in the art. *St. Regis Paper Co. v. Bemis Col., 193 USPQ 8.*

***Claim Rejections - 35 USC § 102***

10. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

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(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371© of this title before the invention thereof by the applicant for patent.

11. Claims 1, 26-33, 35-39 are rejected under 35 U.S.C. 102(b) as being anticipated by Yamazaki et al. (4,388,567).

Regarding Claim 1, Yamazaki discloses a light fixture(13a, 16a-16d) comprising a plurality of lamps(16a-16d), a light control(34-37, 41, 42, 48) connected to the plurality of lamps, wherein the light control is adapted to receive power from a single power source(11) and is arranged to individually control each one of the plurality of lamps(16a-16d) by controlling the power provided to each of the individual lamp.

Yamazaki's light fixture inherently comprises a plurality of light sockets with the lamps because all lamp fixtures, including Yamazaki, must include sockets to provide power connections to the lamp tubes. No light fixture nowadays exclude sockets between any light emitting means(e.g. light tubes) and the circuit means(e.g. power connection, control circuit, switches etc.).

Regarding Claim 25, Yamazaki discloses that light fixture(13a, 16-16d) is a replacement for a light source since it provides illumination just like a light source.

Regarding Claim 26, Yamazaki discloses that the light fixture is uniquely addressable on a network hubbed by main control device(12).

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Regarding Claim 27, Yamazaki discloses that the light fixture(13a, 16a-16d) is networkable with another of said light fixture(13b, 16a-16d).

Regarding Claim 28, Yamazaki discloses a variable light output level light fixture(13a, 16a-16d) (See Col. 3, lines 8-26) comprising a plurality of light sources(16a-16d), and a light control(34-37, 41, 42, 48) connected to the plurality of light source(16a-16d), wherein the light control controls the light output level of each light source of the plurality of light sources(16a-16d) through the interfaces(34-46, 41, 42) and lighting control circuit(37) (See Figure 3).

Regarding Claim 29, Yamazaki discloses that the plurality of light sources(e.g. fluorescent lamp L) inherently comprising a plurality of filaments since all fluorescent lamps must include at least two filaments at both ends of the tube for the light ignition.

Regarding Claims 30, 31, 37, 38, Yamazaki discloses the light control(34-37, 41, 42, 48) without using a silicon-controlled rectifier and a choke (See Figure 3).

Regarding Claim 32, Yamazaki discloses a variable light output level light source shown in Figure 3 comprising a plurality of fluorescent lamps(16a-16d) inherently comprising a plurality of controllable filaments(see above explanation), a light control(34-37, 41, 42, 48) connected to the plurality of controllable filaments wherein the light control controls each of the plurality of controllable filaments inside the lamps.

Regarding Claim 33, Yamazaki discloses that the plurality of controllable filaments of the lamps is more than two filaments since Yamazaki discloses at least four lamps with one control.



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Regarding Claim 35, Yamazaki discloses that each of the plurality of the controllable filaments is individually controllable by the light control since each filament is connected to its own wire different from the others.

Regarding Claim 36, Yamazaki discloses that the light source is a replacement(e.g. light substitute or replacement) for an existing light source.

Regarding Claim 39, Yamazaki's light fixture inherently comprises light sockets with the lamps because all lamp fixtures, including Yamazaki, must include sockets to provide power connections to the lamp tubes. No light fixture nowadays exclude sockets between any light emitting means(e.g. light tubes) and the circuit means(e.g. power connection, control circuit, switches etc.).

12. Claims 1-11, 13-19, 21-24 are rejected under 35 U.S.C. 102(e) as being anticipated by Sinha et al. (6,188,181).

Regarding Claims 1 and 15, Sinha discloses a light fixture comprising a plurality of light loads(L1... LN), and a light control(CP) connected to the plurality of light loads (L1..LN), wherein the light control(CP) is adapted to receive power from a single power source and is arranged to individually control each one of the plurality of light loads(L1...LN) by controlling the power provided to each of the individual light loads(L1..LN), and modify the light level through the dimmer (See Figures 1B and 1C).

Sinha's light fixture inherently comprises a plurality of light sockets within the loads because all lamp fixtures, including Sinha, must include sockets to provide power connections to

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the lamp tubes. No light fixture nowadays exclude sockets between the light emitting means(e.g. light tubes) and the circuit means(e.g. power connection, control circuit, switches etc.).

Regarding Claim 2, Sinha discloses a plurality of light sources(LS1.. LSN) mounted in the loads(L1.. LN), wherein the light sources comprise incandescent lamp(See Col. 4, lines 45-48).

Regarding Claims 3 and 16, Sinha discloses the light control comprising a computer(e.g. CP) (See Figure 1C).

Regarding Claims 4 and 17, Sinha discloses the light control comprising a processor(20) (See Figure 1C).

Regarding Claims 5 and 18, Sinha discloses that the light control is networkable(See Figure 1C).

Regarding Claims 6 and 19, Sinha discloses that the loads inherently comprise two or more light source sockets(See Figure 1C).

Regarding Claims 8 and 21, Sinha discloses that the light control is adapted to control the single feed power provided to each one of the plurality of light source sockets within the loads by turning on and off individually (through the internal relays such as Relay 1... Relay N)each one of the plurality of light source sockets within the loads(See Figure 1B and 1C).

Regarding Claim 9, Sinha discloses that the light control(CP1) is adapted to send and receive signals to the relay and from the main unit respectively(See Figure 1B).

Regarding Claim 10, Sinha discloses that the sent and received signals comprise control signals(See Figure 1C).

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Regarding Claim 11, Sinha discloses that the received signals comprise command to control the light control(CP) through MUX (See Figure 1C).

Regarding Claim 13, Sinha discloses that the light fixture has individual connection for an existing light source(e.g. incandescent lamp bulb).

Regarding Claim 14, Sinha discloses that the light fixture inherently comprises a single screw in replacement element for incandescent lamp bulb.

Regarding Claim 22, Sinha discloses that the received signal is received from a network(U1, U2, U3) (See Figure 1C).

Regarding Claims 23 and 24, Sinha discloses the step of sending a signal indicative of the status of the light fixture and the light source sockets and indicating on the displays(See Figure 1E).

13. Claims 1-6, 8-14 are rejected under 35 U.S.C. 102(e) as being anticipated by Recknagel et al. (6,031,343).

Regarding Claim 1, Recknagel discloses a light fixture(100) comprising a plurality of light loads ( $140_{n,1} \dots 140_{n,m}$ ), and a light control ( $120_1 \dots 120_n$ ) connected to the plurality of light loads ( $140_{n,1} \dots 140_{n,m}$ ), wherein the light control ( $120_1 \dots 120_n$ ) is adapted to receive power from a single power source and is arranged to individually control each one of the plurality of light loads ( $140_{n,1} \dots 140_{n,m}$ ) by controlling the power provided to each of the individual light loads ( $140_{n,1} \dots 140_{n,m}$ ), and modify the light level through the dimmer (See Figures 1B and 1C).

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Recknagel's light module inherently comprises a plurality of light sockets within the loads because all lamp fixtures, including Recknagel, must include sockets to provide power connections to the light emitting elements.

Regarding Claim 2, Recknagel discloses a plurality of light sources ( $140_{n,1} \dots 140_{n,m}$ ) mounted in the loads ( $L1 \dots LN$ ), wherein the light sources comprise LEDs (32, 34, 36) (See Figure 7).

Regarding Claim 3, Recknagel discloses the light control comprising a computer (e.g. PC) (See Figure 9 and Col. 7, lines 51-57).

Regarding Claim 4, Recknagel discloses the light control comprising a processor (200) (See Figure 9 and Col. 7, line 55).

Regarding Claim 5, Recknagel discloses that the light control is networkable (See Figure 1).

Regarding Claim 6, Recknagel discloses that the loads inherently comprise two or more light source sockets (See Figure 1). Explanation provided above.

Regarding Claim 8, Recknagel discloses that the light control is adapted to control the single feed power provided to each one of the plurality of light source sockets within the loads by turning on and off individually (through the transistor switches 152, 154, 156, etc.) each one of the plurality of light source sockets of the LEDs (See Figures 1 and 7).

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Regarding Claim 9, Recknagel discloses that the light control(120) is adapted to send and receive signals to another control(120n) and from the central controller(110) respectively(See Figure 1).

Regarding Claim 10, Recknagel discloses that the sent and received signals comprise control signals(See Figure 1).

Regarding Claim 11, Recknagel discloses that the received signals comprise command to control the light control (120<sub>1</sub>...120<sub>n</sub>) through interface(115) (See Figure 1).

Regarding Claim 12, Recknagel discloses that the sent signals comprise commands to another control(120n) (See Figure 1).

Regarding Claim 13, Recknagel discloses that the light fixture has individual connection for an existing light source(e.g. light emitting diode).

Regarding Claim 14, Recknagel discloses that the light fixture inherently comprises a single screw in replacement element for the light emitting diode.

***Claim Rejections - 35 USC § 103***

14. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

15. Claims 7 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sinha et al. (6,188,181).

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Regarding Claims 7 and 20, as discussed above, Sinha essentially discloses the claimed invention but fails to disclose that there are 256 light source sockets or loads. However, since Sinha does not limit the number of sockets or loads, the implementation of such number(e.g. 256) of light source is not restricted. It would have been obvious to one of ordinary skill in the art to use any number of sockets or loads (e.g. 256) in Sinha in order to render illumination in a desired size area. In addition, it is held that mere duplication of the essential working parts of a device involves only routine skill in the art. *St. Regis Paper Co. v. Bemis Col., 193 USPQ 8*.

16. Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Recknagel et al. (6,031,343).

Regarding Claim 7, as discussed above, Recknagel essentially discloses the claimed invention but fails to disclose that there are 256 light source sockets or loads. However, since Recknagel does not limit the number of sockets or loads, the implementation of such number(e.g. 256) of light source is not restricted. It would have been obvious to one of ordinary skill in the art to use any number of sockets or loads (e.g. 256) in Recknagel in order to render illumination in a desired size area. In addition, it is held that mere duplication of the essential working parts of a device involves only routine skill in the art. *St. Regis Paper Co. v. Bemis Col., 193 USPQ 8*.

17. Claim 34 is rejected under 35 U.S.C. 103(a) as being unpatentable over Yamazaki et al. (4,388,567).

Regarding Claim 34, as discussed above, Yamazaki essentially discloses the claimed invention but fails to disclose that there are 256 filaments in the lamps. However, merely

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providing additional lamps in Yamazaki does not change the scope of his invention. It would have been obvious to one of ordinary skill in the art to provide more number of lamps in Yamazaki to include any desired filaments(e.g. 256, etc) in order to provide larger illumination coverage. In addition, it is held that mere duplication of the essential working parts of a device involves only routine skill in the art. *St. Regis Paper Co. v. Bemis Col., 193 USPQ 8.*

### ***Conclusion***

18. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

19. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The definition of "fixture" in The Random House College Dictionary, page 499.

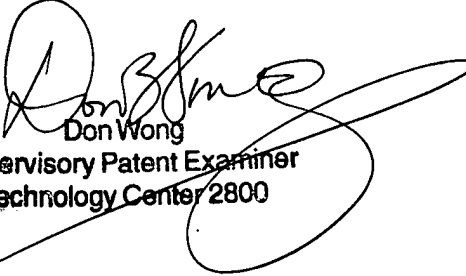
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***Correspondence***

20. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Examiner Wilson Lee whose telephone number is (703) 306-3426.
21. If attempts to reach examiner by telephone is unsuccessful, the examiner's supervisor, Don Wong, can be reached on (703) 308-4856.
22. Any inquiry of a general nature or relating to the status of this application should be directed to the Technology Center receptionist whose telephone number is (703) 308-0956.
23. Papers related to Technology Center 2800 applications may be submitted to Technology Center 2800 by facsimile transmission. Any transmission not to be considered an official response must be clearly marked "DRAFT". The Technology Center Fax Center number is (703) 308-7722 or (703) 308-7724.

WL

5/29/02

  
Don Wong  
Supervisory Patent Examiner  
Technology Center 2800